

Message Text

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C O N F I D E N T I A L STATE 208053

E.O. 11652:GDS

TAGS: PFOR, US, GE, GW, WB

SUBJECT: GERMAN DEMOCRATIC REPUBLIC: 1976 POLICY
GUIDELINES

REF: STATE 246299(1975); BERLIN 6058; BERLIN 6100

1. THE ANNUAL GDR POLICY REVIEW WAS HELD JUNE 21 AND WAS
ATTENDED BY OFFICERS FROM THE DEPARTMENT AND OTHER
USG AGENCIES. THE EMBASSY'S THOROUGH AND THOUGHTFUL
ASSESSMENT, TOGETHER WITH THE 1975 POLICY GUIDELINES,
PROVIDED THE BASIS FOR THE REVIEW.

2. THE OVERALL GUIDELINES CONTAINED IN THE 1975
POLICY PAPER SHOULD CONTINUE TO SERVE AS THE BASIS FOR
US POLICY TOWARDS THE GDR IN 1976. GIVEN THE CLEAR
PRIORITY OF US INTERESTS IN AND RELATIONS WITH THE FRG
AND BERLIN, AS WELL AS WITH THE USSR, THE GDR REMAINS
A SPECIAL CASE AMONG THE NATIONS OF EUROPE. LONG-TERM
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AMERICAN INTERESTS IN BOTH EASTERN
AND WESTERN EUROPE COULD BE AFFECTED CONSIDERABLY BY
THE COURSE OF EVENTS WITHIN THE GDR AND BY THE MANNER
IN WHICH RELATIONS DEVELOP BETWEEN THE GDR AND ITS
EUROPEAN NEIGHBORS, ESPECIALLY THE USSR AND THE FRG.
THE MAIN GOAL OF US POLICY SHOULD CONTINUE TO BE TO
ENSURE THAT OUR BROADER, LONG-TERM INTERESTS IN BERLIN
AND GERMANY AND WITH THE SOVIET UNION ARE NOT
ADVERSELY AFFECTED BY THE SUBSTANCE OR THE MANNER
IN WHICH US-EAST GERMAN BILATERAL RELATIONS ARE
DEVELOPED. WE SHOULD ALSO CONCENTRATE ON IMPROVING
OUR KNOWLEDGE OF THE GDR SYSTEM AND POLICIES TO ENABLE
US BETTER TO ANTICIPATE POSSIBLE DEVELOPMENTS IN OR

AFFECTING EAST GERMANY WHICH COULD TOUCH ON BROADER US INTERESTS.

3. THIS PERSPECTIVE REQUIRES A DOUBLE FOCUS TO OUR EFFORTS TO DEVELOP RELATIONS WITH THE GDR IN THE IMMEDIATE FUTURE. WE SHOULD SEEK OPPORTUNITIES TO ESTABLISH NORMAL, "BUSINESSLIKE" RELATIONS SIMILAR TO THOSE WITH MOST OTHER WARSAW PACT COUNTRIES AND, WHERE POSSIBLE, TO INFLUENCE GDR BEHAVIOR ON CONCRETE ISSUES OF IMPORTANCE TO THE UNITED STATES. AT THE SAME TIME, SHORT TERM TACTICAL CONSIDERATIONS SHOULD NOT CAUSE US TO VEER FROM THE UNDERLYING GOAL OF MAINTAINING A CONSISTENT POLICY LINE TOWARDS THE GDR. A MAJOR US INTEREST CONTINUES TO BE ESTABLISHING A PATTERN OF CONDUCT WHICH MAKES CLEAR TO THE GDR THAT THERE IS A CONTINUITY TO AMERICAN POLICY.

4. THE STEP-BY-STEP APPROACH TO BILATERAL RELATIONS SET DOWN IN THE 1975 POLICY GUIDELINES CONTINUES TO BE THE BEST METHOD OF ENSURING CONSISTENCY IN DEVELOPMENT OF OUR TIES WITH THE GDR. THE INTENT OF THIS POLICY IS NOT TO ESTABLISH LINKAGES SIMPLY FOR TACTICAL BARGAINING PURPOSES, BUT TO HIGHLIGHT THE AREAS IN WHICH WE THINK PROGRESS MUST BE MADE IF THE TWO SIDES ARE TO DEVELOP A MUTUALLY SATISFACTORY RELATIONSHIP OVER THE LONGER TERM. ALTHOUGH IMPRESSED BY THE EMBASSY'S DESCRIPTION OF ADDITIONAL OPPORTUNITIES FOR DEVELOPMENT OF TIES WITH THE GDR
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OUTSIDE THE PRESENT STEP-BY-STEP PROCEDURE, THE DEPARTMENT DOES NOT CONSIDER THAT SETTING THE CONSULAR NEGOTIATIONS ASIDE AS PROPOSED IN THE ANNUAL POLICY ASSESSMENT WOULD FURTHER OUR AIM OF ACHIEVING THIS LONGER TERM BASIS FOR OUR BILATERAL RELATIONSHIP.

5. IN FACT, GDR BEHAVIOR IN THE CONSULAR NEGOTIATIONS RAISES QUESTIONS IN OUR MIND AS TO WHETHER THE EAST GERMANS ARE ACTUALLY INTERESTED IN PROCEEDING WITH DEVELOPMENT OF A LONGER TERM BASIS AS AGREED WHEN TIES WERE ESTABLISHED IN 1974. AT THAT TIME, BOTH SIDES CONFIRMED THAT THE FIRST PRIORITY WAS TO NEGOTIATE A CONSULAR CONVENTION WHICH COULD PROVIDE A FOUNDATION FOR EXPANSION OF TIES IN OTHER FIELDS. GDR INSISTENCE ON INJECTING THE SENSITIVE NATIONALITY QUESTION INTO THE CONSULAR NEGOTIATIONS SUGGESTS THAT THEY ARE NOT AS INTERESTED IN ACHIEVING A PRACTICAL BASIS FOR A MUTUALLY SATISFACTORY RELATIONSHIP AS THEY ARE IN DEMONSTRATING A CONTROVERSIAL POLITICAL POINT.

6. IN ADDITION TO THE LONGER TERM IMPORTANCE OF THE

CONSULAR NEGOTIATIONS AND HUMANITARIAN CASES, THESE TWO ISSUES ARE SO CENTRAL TO IMMEDIATE US INTERESTS IN THE GDR THAT THE DEPARTMENT CONSIDERS THAT PROGRESS IN THESE AREAS MUST REMAIN A SINE QUA NON FOR FORWARD MOVEMENT IN OTHER BROADER AREAS OF OUR BILATERAL RELATIONSHIP. AS NOTED BELOW, ACHIEVING PROGRESS IN THESE TWO AREAS IS IMPORTANT IN DEMONSTRATING TO CONGRESS AND TO THE US PUBLIC THAT THE DEPARTMENT IS FULFILLING ITS RESPONSIBILITIES FOR THE PROTECTION OF AMERICAN CITIZENS TRAVELLING ABROAD.

7. IN THE DEPARTMENT'S VIEW, SETTING THE CONSULAR NEGOTIATIONS ASIDE AT THIS TIME WOULD REDUCE THE PRESSURE FOR GDR COMPLIANCE WITH OUR WISHES. IT COULD ALSO GIVE THE GDR THE WRONG IMPRESSION ABOUT OUR LONG TERM INTEREST IN THE CONSULAR AND THE HUMANITARIAN QUESTIONS, AS WELL ON ISSUES CONCERNING FINANCIAL CLAIMS. ONE PRINCIPLE OBJECTIVE IS TO DEMONSTRATE TO THE GDR THAT THE WAY IN WHICH IT CONFIDENTIAL

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DEALS WITH THESE TWO ISSUES WILL HAVE A BASIC EFFECT ON US-GDR BILATERAL RELATIONS OVER THE LONGER TERM. WE MUST MAKE CLEAR TO THE EAST GERMANS THAT IF THEY WISH CONTINUING PROGRESS IN THEIR RELATIONS WITH US, THEIR BASIC APPROACH TO CONSULAR AND HUMANITARIAN QUESTIONS MUST BE LIBERALIZED.

8. HOWEVER, IT WOULD BE INCORRECT TO CONCLUDE THAT THE MAINTENANCE OF THIS POSITION ON THESE TWO KEY ISSUES MAKES PROGRESS IN OTHER ASPECTS OF US-GDR BILATERAL RELATIONS IMPOSSIBLE. TO A CONSIDERABLE EXTENT, IT IS THE GDR ITSELF WHICH HAS ATTEMPTED TO MAKE THE CASE THAT IF RELATIONS DO NOT DEVELOP IN THE WAY WHICH THEY HAVE PROPOSED, I.E. BY THE ESTABLISHMENT OF TRADE OFFICES IN NEW YORK, FURTHER PROGRESS WILL NOT BE POSSIBLE. IMPORTANT STEPS FORWARD CAN BE TAKEN WITHOUT SACRIFICING OUR INTEREST IN THE CONSULAR NEGOTIATIONS AND THE HUMANITARIAN CASES. THE DEPARTMENT CONSIDERS THAT THE BEST APPROACH TO TAKE IN THE PRESENT SITUATION IS NOT TO ABANDON THE POSITIONS WHICH WE HAVE ESTABLISHED CAREFULLY OVER THE PAST EIGHTEEN MONTHS, BUT RATHER CONCURRENTLY TO EXPLORE FULLY ALL OF THE OPPORTUNITIES FOR DEVELOPMENT OF RELATIONS, PARTICULARLY OUTSIDE OF THE CONS'LAR AGREEMENT/TRADE OFFICE LINKAGE WHICH HAS BECOME THE PRIME OBSTACLE TO IMPROVEMENT OF THE OVERALL BILATERAL RELATIONSHIP.

9. THE FOLLOWING SPECIFIC POLICY OBJECTIVES ARE BASED ON THE ABOVE GUIDELINES. THEIR BASIC PURPOSE IS TO SUGGEST AREAS IN WHICH PROGRESS CAN BE ACHIEVED WITHOUT

LOOSENING THE TIE BETWEEN THE HUMANITARIAN CASES CUM
CONSULAR NEGOTIATIONS AND ESTABLISHMENT OF NEW GDR
OFFICES IN THE UNITED STATES.

POLICY OBJECTIVES -- US-GDR RELATIONS

1. CONSULAR CONVENTION

WE SHOULD CONTINUE TO SEEK A CONSULAR CONVENTION WHICH
DOES NOT INCLUDE A DEFINITION OF NATIONALITY.
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NEGOTIATION OF A CONSULAR CONVENTION IS IMPORTANT
NOT ONLY FOR THE ROLE IT CAN PLAY IN DEVELOPMENT OF
US-GDR BILATERAL RELATIONS, BUT ALSO AS THE BASIS
FOR THE DEPARTMENT'S ABILITY TO PROTECT US CITIZENS
TRAVELLING IN THE GDR. CONGRESS AND THE GAO ARE
EXTREMELY INTERESTED IN HAVING THE DEPARTMENT NEGOTIATE
CONSULAR AGREEMENTS WITH EVERY COUNTRY WITH WHICH WE
HAVE DIPLOMATIC RELATIONS AND ARE EXERTING CONSIDERABLE
PRESSURE ON THE DEPARTMENT TO ENSURE THAT THIS GOAL
IS ACHIEVED. UNTIL THE CONSULAR AGREEMENT HAS BEEN
NEGOTIATED, WE WILL NOT AUTHORIZE ESTABLISHMENT OF
A TRADE OFFICE OR BRANCHES OF GDR FTO'S IN THE US.

2. HUMANITARIAN CASES

DEVELOPMENT OF AN EFFICIENT PROCEDURE FOR DEALING WITH
APPLICATIONS FOR REUNIFICATION OF DIVIDED FAMILIES RE-
MAINS AN ESSENTIAL ELEMENT IN DEVELOPMENT OF US-GDR
RELATIONS. IT SHOULD BE MADE CLEAR TO THE GDR THAT OUR
GOAL IS NOT ONLY SOLUTION OF A SPECIFIC NUMBER OF OUT-
STANDING CASES, BUT ALSO IMPROVEMENT IN THE MANNER
IN WHICH THE GDR HANDLES APPLICATIONS.

3. TRADE

EFFORTS SHOULD CONTINUE TO FACILITATE BILATERAL TRADE
WITHIN THE FRAMEWORK ESTABLISHED BY US AND GDR TRADE
LEGISLATION AND BY THE DIFFERENCES BETWEEN THE TWO
ECONOMIC SYSTEMS. AS WE HAVE PREVIOUSLY INFORMED THE
GDR, WE WILL PERMIT ESTABLISHMENT OF BRANCHES OF
FOREIGN TRADE ORGANIZATIONS AND AN OFFICIAL TRADE OFFICE
WHEN THE CONSULAR AGREEMENT IS CONCLUDED. COMMERCE IS
PREPARED TO CONTINUE ITS DIALOGUE ON TRADE QUESTIONS WITH
REPRESENTATIVES OF THE GDR. OTHER POSSIBILITIES
FOR INCREASING THE EXCHANGE OF INFORMATION AND
FACILITATING EFFORTS OF US COMPANIES DEALING WITH
THE GDR SHOULD BE PURSUED. SPECIAL EMPHASIS SHOULD
BE PLACED ON ENCOURAGING DIRECT CONTACTS BETWEEN
THE GDR AND US FIRMS. IN THIS CONNECTION, WE SHOULD
CONTINUE TO SUPPORT THE ESTABLISHMENT OF A PRIVATE JOINT

BUSINESS COUNCIL. WE SHOULD CONTINUE TO MAINTAIN
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OFFICIAL US COMMERCIAL REPRESENTATION AT THE LEIPZIG FAIR.

4. OFFICES SEPARATE FROM CHANCERIES

ARRANGEMENTS FOR ACTUAL OPENING OF SEPARATE OFFICES MUST BE MADE ACCORDING TO THE TERMS OF THE SEPTEMBER 4, 1975 MEMORANDUM OF UNDERSTANDING ON ESTABLISHMENT OF US-GDR DIPLOMATIC RELATIONS. THE DEPARTMENT REMAINS WILLING IN PRINCIPLE TO ENTER INTO NEGOTIATIONS ON THIS POINT AT AN APPROPRIATE TIME. HOWEVER, SINCE ACTUAL OPENING OF THE GDR TRADE REPRESENTATION IS DEPENDENT IN OUR VIEW ON SUCCESSFUL CONCLUSION OF THE CONSULAR NEGOTIATIONS AND PROGRESS IN THE HUMANITARIAN FIELD, THE DEPARTMENT IS NOT PREPARED TO BEGIN THE DISCUSSIONS FORSEEN IN THE SEPTEMBER 1974 MEMORANDUM UNTIL THESE QUESTIONS HAVE BEEN RESOLVED.

5. AGRICULTURE

THE GDR SHOULD BE ENCOURAGED TO CONTINUE DEVELOPING SUPPLIES OF AGRICULTURAL COMMODITIES IN THE US AS A DEPENDABLE SOURCE FOR THEIR REGULAR IMPORT NEEDS. SHORT OF ENTERING INTO AN AGREEMENT OR UNDERSTANDING ON LONG TERM AGRICULTURAL SALES, WE SHOULD CONTINUE TO FACILITATE SALES OF US AGRICULTURAL PRODUCTS TO THE GDR AND TO PROMOTE US MARKET DEVELOPMENT ACTIVITIES.

6. CULTURAL RELATIONS

PRIVATE EXCHANGES HAVE ALREADY LED TO CONSIDERABLE CULTURAL CONTACT IN BOTH DIRECTIONS, AND THIS METHOD OF INCREASING TIES SHOULD BE ENCOURAGED. THE DEPARTMENT AND USIA ARE PRESENTLY STUDYING WAYS TO ACHIEVE MORE BALANCE IN OFFICIAL BILATERAL CULTURAL RELATIONS. WE DO NOT, HOWEVER, BELIEVE THAT THE TIME HAS YET COME TO CONSIDER A FORMAL BILATERAL EXCHANGES AGREEMENT.

7. CLAIMS

PURSUANT TO LEGISLATION INTRODUCED IN THE CONGRESS AT THE REQUEST OF THE DEPARTMENT, THE FOREIGN CLAIMS SETTLEMENT COMMISSION WILL ADJUDICATE THE CLAIMS OF
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UNITED STATES NATIONALS FOR THE TAKING OF THEIR PROPERTY IN THE GDR. THE COMMISSION'S PROGRAM WILL REQUIRE APPROXIMATELY FOUR YEARS FROM THE DATE THE LEGISLATION IS APPROVED. WE WILL ACCORDINGLY NOT BE ABLE TO ENTER

INTO SUBSTANTIVE NEGOTIATIONS FOR THE PAYMENT OF THE CLAIMS UNTIL 1980 AT THE EARLIEST. IT WOULD BE HIGHLY USEFUL, THOUGH NOT ABSOLUTELY ESSENTIAL, IF PUBLIC RECORDS OF THE GDR RELATING TO THE PREVIOUS OWNERSHIP OF THE TAKEN PROPERTY COULD BE MADE AVAILABLE TO THE COMMISSION. IN INFORMAL TALKS WITH REPRESENTATIVES OF THE GDR IN JULY 1976, WE ATTEMPTED UNSUCCESSFULLY TO OBTAIN ASSURANCES THAT THIS DOCUMENTATION WOULD BE MADE AVAILABLE. WE ARE CONSIDERING WHETHER, AND, IF SO, IN WHAT MANNER, WE SHOULD TRY AGAIN. DURING THE JULY TALKS WE EMPHASIZED THAT THE FAILURE OF THE GDR TO ENTER INTO MEANINGFUL DISCUSSIONS WITH THE WORLD CONFERENCE ON JEWISH MATERIAL CLAIMS IS A SOURCE OF CONCERN TO THE DEPARTMENT. THE GDR REPRESENTATIVES AGREED TO TRANSMIT OUR COMMENTS TO THE COMPETENT GDR OFFICIALS.

8. OTHER BILATERAL AGREEMENTS

NEGOTIATION OF A BILATERAL PARCEL POST AGREEMENT SHOULD CONTINUE, BUT GDR EFFORTS TO INJECT POLITICAL ISSUES INTO THE NEGOTIATIONS SHOULD BE RESISTED. WITHIN THE BROADER CONTEXT OF OUR OVERALL FISHERIES POLICY, THE DEPARTMENT HOPES TO NEGOTIATE WITH THE GDR A GOVERNING INTERNATIONAL FISHERIES AGREEMENT IN ACCORDANCE WITH US LAW SOMETIME LATER THIS YEAR. AS HAS BEEN STATED TO GDR OFFICIALS SEVERAL TIMES, THE DEPARTMENT DOES NOT BELIEVE THAT NEGOTIATION ON FURTHER BILATERAL AGREEMENTS WOULD BE APPROPRIATE AT THIS STAGE IN OUR RELATIONS. UNTIL FURTHER PROGRESS HAS BEEN MADE, WE WILL NOT BE ABLE TO AGREE TO GDR PROPOSALS FOR NEGOTIATION OF A MARITIME AGREEMENT OR AN AGREEMENT ON SCIENTIFIC AND TECHNOLOGICAL EXCHANGES. THIS SITUATION COULD, OF COURSE, CHANGE IF THE CONSULAR/HUMANITARIAN ISSUES WERE TO BE RESOLVED TO OUR SATISFACTION. WE SHOULD ALSO CONTINUE TO MAKE CLEAR TO THE GDR THAT THEIR PROPOSAL FOR A FORMAL TRADE AGREEMENT

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IS NOT ACCEPTABLE, BOTH BECAUSE NOT ENOUGH PROGRESS HAS BEEN ACHIEVED IN OUR OVERALL BILATERAL RELATIONSHIP AND BECAUSE THE GDR HAS NOT FULFILLED PRESENT US LEGISLATIVE REQUIREMENTS. KISSINGER

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